

MINUTES – SEPTEMBER 11, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 11th day of September, 2001, the Commissioners' Court convened the regular Voting Session at 9:13 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:02 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 1:42 PM.

The Commissioners' Court retired to Executive Session at 1:42 PM.

The Commissioners' Court reconvened the TCHFDC Voting Session at 1:48 PM and adjourned at 1:49 PM.

The Commissioners' Court reconvened the Voting Session at 1:49 PM.

The Commissioners' Court retired to Executive Session at 4:23 PM.

The Commissioners' Court reconvened the Voting Session at 5:39 PM.

The Commissioners' Court adjourned the Voting Session at 5:51 PM.

RESOLUTIONS & PROCLAMATIONS

- 1. APPROVE A PROCLAMATION RECOGNIZING THE ANNIVERSARY OF THE DIEZ Y SEIS DE SEPTIEMBRE CELEBRATION. (9:15 AM) (9:24 AM)

Item 1 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Northridge Acres Resident; and Gus Peña, President, East Austin Concerned Hispanics. (9:15 AM)

CONSENT ITEMS

Members of the Court heard from: Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

- 2. **Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1 – C6 (excluding Item C3), and Items 1, 4.A-C, 5.A1, 12, 15, 18, 24, and 26. (9:24 AM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.

CONSENT ITEMS CONTINUED

- C3.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: TREASURY HILL - (SHORT FORM PLAT – 1 LOT – 4.85 ACRES – COMANCHE TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ.) (9:24 AM) (1:49 PM)

Item C3 removed from Consent Items.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item C3.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 25, 2001 TO DISCUSS PROHIBITING TRUCKS ON FERGUSON LANE (FROM SPRINKLE ROAD TO SPRINGDALE ROAD) AND PROHIBITING TRUCKS ON SPRINGDALE ROAD (FROM US 290E TO CAMERON ROAD).
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 25, 2001 TO APPROVE A TEMPORARY ROAD CLOSURE OF PATTERSON ROAD DURING THE BARTON CREEK ELEMENTARY CARNIVAL ON SEPTEMBER 29, 2001 IN PRECINCT THREE.
- C6.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 9, 2001 TO APPROVE THE CANCELLATION OF LAKECLIFF ON LAKE TRAVIS SECTION FOUR AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION THIRTEEN (LONG FORM PLAT – 18 LOTS – 10.347 ACRES – CLIFF CROSSING – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES).

PLANNING AND BUDGET DEPT ITEMS

3. APPROVE PROPOSED COUNTY TAX RATE FOR FY '02 AND SET DATE AND TIME FOR PUBLIC HEARING ON THE PROPOSED TAX RATE. (10:48 AM)

Clerk's Note: Item 3 and Item 27 are associated with one another and were called for concurrent discussion. Please refer to Agenda Item 27 for the Court's Action on this Item.

4. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:24 AM)
 - A. APPROVE GRANT APPLICATION WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE ROPES FAMILY INITIATIVES IN JUVENILE COURT. THIS APPLICATION IS TO CONTINUE FUNDING FOR THE PROGRAM FOR FY'02.
 - B. APPROVE GRANT CONTRACT WITH THE TEXAS ATTORNEY GENERAL'S OFFICE FOR A VICTIM ASSISTANCE COORDINATOR PROGRAM IN THE DISTRICT ATTORNEY'S OFFICE. THE GRANT CONTRACT CONTINUES THE PROGRAM FOR FY'02.
 - C. APPROVE GRANT CONTRACT WITH THE TEXAS ATTORNEY GENERAL'S OFFICE TO CONTINUE THE ACCESS AND VISITATION GRANT IN THE DOMESTIC RELATIONS OFFICE OF JUVENILE COURT. THE GRANT CONTRACT CONTINUES THE PROGRAM FOR FY'02.

Clerk's Note: Items 4.A-C are associated with one another and were called for concurrent discussion.

Items 4.A-C added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

- 6. DISCUSS PROGRAM PROPOSAL, BUDGET AND STAFFING FOR THE FEDERAL YOUTHFUL OFFENDER RE-ENTRY GRANT APPLICATION BEING DEVELOPED BY JUSTICE AND PUBLIC SAFETY DEPARTMENT, AND TAKE APPROPRIATE ACTION. (3:39 PM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Kati Broderick, Manager, Research and Planning, JPS.

Motion by Judge Biscoe and seconded by Commissioner Gómez to give directions to proceed.

A Clarification of the previous Motion was made by Judge Biscoe that we need to start executing the MOU real soon.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	absent
	Precinct 4, Commissioner Margaret J. Gómez	yes

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

- 7. CONSIDER BOND PROGRAM PUBLIC INFORMATION MATERIALS AND STRATEGY, AND TAKE APPROPRIATE ACTION. (3:54 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Item 7.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

- 8. APPROVE RELEASE OF DEVELOPER AND SUBDIVISION FEES FROM ESCROW. (3:58 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 8.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 9. APPROVE ASSIGNMENT OF THE FAIRWAYS OF BLACKHAWK LICENSE AGREEMENT AND ITS ACCOMPANYING SECURITY DEPOSIT TO THE CITY OF PFLUGERVILLE DUE TO ANNEXATION. (9:13 AM)

Item 9 postponed until September 18, 2001.

- 10. APPROVE A CONDOMINIUM PROJECT IN PRECINCT THREE: HUDSON HARBOR CONDOMINIUMS (MULTI-STORY ATTACHED DEVELOPMENT - WATER SERVICE BY WCID NO. 17 AND PRIVATE ONSITE WASTEWATER PERMITTED BY TNRCC, CITY OF AUSTIN ETJ). (10:49 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Don Wheeler, Division Director, Road Maintenance and Fleet Services, TNR; Bob Vann, Constable, Precinct 5 and President, Protect Lake Travis Assn.; R. B. Klug, Hudson Bend Colony Resident; Bruce Condrut, Director, Hudson Bend Colony Neighborhood Assn.; Carol Sites, Hudson Bend Colony Resident; Erica Rogala, Treasurer, Hudson Bend Colony Neighborhood Assn.; Kim Anthony, Hudson Bend Resident; and Tom Nuckols, Assistant County Attorney.

Discussion Only.

Item 10 to be reposted on September 25, 2001.

- 11. DISCUSS PROPOSED TEXAS ORGANIC RECYCLERS PROJECTS NEAR JACOBSEN ROAD AND LINDEN ROAD INTERSECTION IN PRECINCT FOUR AND TAKE APPROPRIATE ACTION. (1:49 PM) (4:23 PM) (5:39 PM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; Tom Nuckols, Assistant County Attorney; Bill Hilgers, Adjacent Property Owner; Dr. Virgil Lawless, Area Property Owner; Hal Grumman, Area Resident; Deanna Krueger, Area Resident; Kim Pasos, Area Property Owner; Jerry Staton, Area Property Owner; Gary Stager, Area Resident; and Wilbert Krueger, Area Resident.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to direct Staff to draft a detailed comment letter on the project, bring it back to the Court, see if the Court agrees with the content of it, and submit it with the Court’s signatures to the Executive Director, and the appropriate technical staff at TNRCC. Part of that would be requesting the public meeting on behalf of the citizens.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Judge Biscoe announced that Item 11 would be considered in Executive Session.

Item 11 to be reposted on September 18, 2001.

ADMINISTRATIVE OPERATIONS ITEMS

- 12. APPROVE TUITION/FEES AWARDS FOR TWO (2) TRAVIS COUNTY EMPLOYEES TO PARTICIPATE IN LEADERSHIP AUSTIN PROGRAM NOT TO EXCEED \$800 EACH, IN ACCORDANCE WITH CHAPTER SIXTEEN OF THE TRAVIS COUNTY CODE. (9:24 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 13. CONSIDER COUNTY HEALTH AND HOSPITAL INSURANCE PLAN, AND TAKE APPROPRIATE ACTION. (3:59 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Dan Mansour, Risk Manager, Human Resources Management Department (HRMD).

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 13.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 14. A. APPROVE HOLIDAYS EFFECTIVE OCTOBER 1, 2001 THROUGH DECEMBER 31, 2002, IN ACCORDANCE WITH THE TRAVIS COUNTY CODE MANUAL, SECTIONS 10.043 HOLIDAYS AND 10.044 PERSONAL HOLIDAYS, RESPECTIVELY, AND TAKE APPROPRIATE ACTION. (4:03 PM)

Clerk’s Note: Items 14.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Linda Moore Smith, Director, HRMD.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 14.A.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 14 CONTINUED

- B. CONSIDER REQUEST TO ALLOW EMPLOYEES TO CARRY OVER A MAXIMUM OF 40 HOURS OF NON-DESIGNATED HOLIDAY TIME, ACCRUED FROM OCTOBER 1 THROUGH SEPTEMBER 30, FROM FY 2001 TO FY2002, AND TAKE APPROPRIATE ACTION.**

- C. APPROVE REVISIONS TO THE TRAVIS COUNTY CODE, SECTION 10.043, HOLIDAYS, TO INCLUDE:**
 - (1) PROVISION TO ALLOW 16 HOURS OF NON-DESIGNATED HOLIDAY TIME TO CARRY OVER FROM FISCAL YEAR TO FISCAL YEAR;**

 - (2) ADD LANGUAGE THAT EXCEPTIONS MAY BE GRANTED BY THE COURT ON AN ANNUAL BASIS, NO LATER THAN SEPTEMBER 30 OF EACH FISCAL YEAR.**

Items 14.B and C postponed until September 18, 2001.

15. APPROVE PERSONNEL AMENDMENTS. (9:24 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

16. APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE SOUTHWEST PARKWAY ROAD RECONSTRUCTION PROJECT, IFB #B000711-JJ, TO THE LOW, QUALIFIED BIDDER, C.C. CARLTON INDUSTRIES, LTD. (TNR) (4:05 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Robert Goode, Division Director, Engineering Services, TNR; Jerry Raisch, Construction Procurement Specialist, Purchasing; and Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe and seconded by Commissioner Baxter to approve Item 16.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	no
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

17. APPROVE CONTRACT, CONTRACT MODIFICATION, AND MAKING OF CONTRACT FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE PACE BEND PARK RANGER RESIDENCE PROJECT, IFB #B010714-JJ, TO INDUSTRIAL LAMINATES CORP. (TNR) (4:16 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe and seconded by Commissioner Baxter to approve Item 17.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 18. APPROVE RENEWAL AND INCREASE OF MONTHLY MEMBERSHIP FEE (MODIFICATION NO. 2) TO INTERLOCAL AGREEMENT NO. IL990170-TF, UNIVERSITY OF TEXAS, FOR INTERNET CONNECTIVITY SERVICE VIA THE TEXAS HIGHER EDUCATION NETWORK (“THEnet”); CONTRACT APPROVED ON 6/2/99. (ITS.) (9:24 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

OTHER ITEMS

- 19. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (4:20 PM)

No action necessary on Item 19.

- 20. DISCUSS RECOMMENDED LEGISLATIVE INTERIM STUDY TOPICS, AND TAKE APPROPRIATE ACTION. (2:53 PM)

Members of the Court heard from: Bob Kamm, Legislative Consultant.

Motion by Judge Biscoe and seconded by Commissioner Davis to authorize the consultants to: (1) Work with County Staff to make as much progress on these as possible; (2) To consult with the appropriate State committees, elected and appointed officials, agency heads, etc., at the State level, the organizations that are supposed to represent counties, like the Texas Association of Counties and the CUC, and there has got to be a whole lot of others, on these; and determine which ones are appropriate interim study issues, and, if so, advocate that, and others where there seems to be just work and partner-gathering required.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 21. ADOPT FINAL ELECTION PRECINCT BOUNDARY CHANGES REQUIRED BY STATE LAW AND/OR REDISTRICTING BOUNDARY CHANGES, AND TAKE APPROPRIATE ACTION. (3:02 PM)

Members of the Court heard from: Bill Emory, Attorney, Emory, Young, and Assoc.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 21.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 22. CONSIDER PLAN TO MONITOR UTILITY COSTS IN FY 2002, AND TAKE APPROPRIATE ACTION. (9:13 AM)

Item 22 postponed until September 18, 2001.

- 23. CONSIDER A FEASIBILITY STUDY TO BE CONDUCTED BY THE TAX ASSESSOR-COLLECTOR’S OFFICE TO ESTABLISH A TRAVIS COUNTY COURT COLLECTIONS PROGRAM, AND TAKE APPROPRIATE ACTION. (4:20 PM)

Members of the Court heard from: Dusty Knight, Chief Deputy, Tax Office.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 23.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 24. APPROVE RENEWAL OF INTERLOCAL COOPERATION CONTRACT WITH TEXAS DEPARTMENT OF PUBLIC SAFETY FOR IMPLEMENTATION OF PROVISIONS OF TEXAS TRANSPORTATION CODE CHAPTER 706 (DENIAL OF RENEWAL OF LICENSE FOR FAILURE TO APPEAR). (9:24 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 25. APPROVE LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND KIDS EXCHANGE TO ALLOW COURT-ORDERED VISITATION EXCHANGE SERVICES AT THE OFFICES OF THE JUSTICE OF THE PEACE AND THE CONSTABLE OF PRECINCT THREE. (4:22 PM)

Item 25 postponed until September 18, 2001.

- 26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 AM)

Item 26 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 27. CONDUCT CONTINUATION OF BUDGET MARK-UP SESSION FOR THE PROPOSED 2002 TRAVIS COUNTY BUDGET, AND TAKE APPROPRIATE ACTION. (9:28 AM)

Clerk’s Note: Item 27 and Item 3 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Christian Smith, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; Joe Gieselman, Executive Manager, TNR; Jessica Rio, Planning and Budget Analyst, PBO; Alicia Perez, Executive Manager, Administrative Operations; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the Ergonomics Line Item, in the amount of \$50,000.00

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 27 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Davis to put the Technology Center as an earmark of \$100,000.00 against Allocated Reserve, but indicate our intention to help with it.

A Clarification of the previous Motion was made by Commissioner Gómez that it is with the proviso that it is one-time, and also, we will wait for an evaluation, to see what happens.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Commissioner Gómez and seconded by Commissioner Davis that we earmark the unallocated fund for the \$10,000.00 for the Sobriety Center study.

A Clarification of the previous Motion was made by Judge Biscoe that it is contingent upon our seeing the plan and agreeing with it before actually putting the money in.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to direct PBO to utilize the resources from the existing CO's Allocated Reserves to the extent possible, based upon the County Attorney's interpretation of the funds, and that any remaining funds be to increase CAR reserve.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 27 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Davis to adopt a tax rate of .4460, which generates a little money above the revenue we have been dealing with, and transfer the economic downturn revenue into the Allocated Reserve, as outlined under Roman Numeral II of the September 10, 2001 PBO memo.

Clerk’s Note: The Court did not take a Vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Commissioner Baxter to transfer that reserve to the General Fund.

Clerk’s Note: The Motion died for lack of a Second.

Clerk’s Note: The Court took a Vote on the Standing Motion and Second at this time.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Judge Biscoe and seconded by Commissioner Davis that PBO be authorized to make appropriate technical corrections against the Allocated Reserve.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Commissioner Baxter that in the 15 additional workload FTE’s, we would reduce that amount from 15 to 10; one of which is a Filing Clerk in the District Clerk’s Office; one would be an Auditor, Secretarial Support; one would be a TNR Grant Coordinator; another one would be County Attorney Intake Secretary; and then another would be the Sheriff’s Administrative Staff.

Clerk’s Note: The Motion died for lack of a Second.

ITEM 27 CONTINUED

Motion by Commissioner Baxter to move the Tobacco Fund to the General Fund.

Withdrawal of the previous Motion was made by Commissioner Baxter.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the draft ad, with the changes that are hand-written by PBO.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The previous Motion was further discussed with a request by Commissioner Baxter that the Commissioners’ Court record reflect a Corrected Vote on the Motion. Judge Biscoe instructed that the record show Commissioner Baxter voting in favor of the previous Motion. The Commissioners’ Court record does reflect the Corrected Vote.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Judge Biscoe **and seconded by** Commissioner Davis that the Public Hearing on September 19, 2001, at 6:00 PM, at the Travis County Commissioners’ Courtroom, at 314 W. 11th St., be advertised in the ad.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

EXECUTIVE SESSION ITEMS

Note 1 – Gov’t Code Ann 551.071, Consultation with Attorney

Note 2 – Gov’t Code Ann 551.072, Real Property

Note 3 – Gov’t Code Ann 551.074, Personnel Matters

Note 4 – Gov’t Code Ann 551.076, Security

- 28. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (4:23 PM) (5:40 PM)**

Judge Biscoe announced that Item 28.A would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the release of claims that have been executed by RJM Constructors, LP, and authorize the County Judge to accept on behalf of the Commissioners’ Court.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- B. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; CIVIL ACTION NO. A 00CA021SS; IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION. ¹ (4:23 PM)**

No action necessary on tem 28.B.

- 29. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON ISSUES WITH PROPOSED INTERLOCAL FOR AEROMEDICAL SERVICES BETWEEN BRACKENRIDGE HOSPITAL AND TRAVIS COUNTY, AND/OR TAKE APPROPRIATE ACTION. ¹ (4:23 PM)**

Item 29 postponed until September 18, 2001.

- 30. DISCUSS, APPROVE OR GIVE DIRECTION REGARDING THE REAL ESTATE ISSUES RELATING TO THE RELOCATION OF THE TRAVIS COUNTY SHERIFF’S WEST COMMAND CENTER FROM THE UNIVERSITY SAVINGS BUILDING TO WESTERN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. ² (4:23 PM) (5:41 PM)

Judge Biscoe announced that Item 30 would be considered in Executive Session.

No action necessary on Item 30.

- 31. APPROVE PURCHASE OF LAND FROM PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT FOR THE EXTENSION OF WELLS BRANCH PARKWAY IN PRECINCT TWO, AND TAKE APPROPRIATE ACTION. ² (4:23 PM) (5:41 PM)

Judge Biscoe announced that Item 31 would be considered in Executive Session.

Item 31 postponed until September 18, 2001.

- 32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT V. CRAZY HORSE LAND CORPORATION AND TAKE APPROPRIATE ACTION. ¹ (4:23 PM) (5:41 PM)

Judge Biscoe announced that Item 32 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the corrected tax resale deed to Ralph Nichols Koster. Part of the Motion is to authorize the County Judge to sign on behalf of the Commissioners’ Court.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER OFFER FOR SETTLEMENT AND/OR TAKE APPROPRIATE ACTION CONCERNING THE MATTER OF SAMUELLA COHEN. ¹ & ³ (4:23 PM) (5:41 PM)

Judge Biscoe announced that Item 33 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Davis to agree to settle this case for 5 months of salary in exchange for a full release.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	no
Precinct 4, Commissioner Margaret J. Gómez	yes

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) IN ROBERT P. MADDOX, JR. V. TRAVIS COUNTY, TEXAS, AND TAKE APPROPRIATE ACTION. ¹ (4:23 PM) (5:42 PM)

Judge Biscoe announced that Item 34 would be considered in Executive Session.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to authorize the hiring of appropriate experts at the appropriate times.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING LONE STAR READY MIX ROAD REPAIR CONTRACT, AND TAKE APPROPRIATE ACTION. (GIESELMAN; SUBROGATION) ^{1&2} (4:23 PM) (5:42 PM)

Judge Biscoe announced that Item 35 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to extend the time to pay the escrow in full for 9 months. That would be 9 months from today. That would be for the full amount set forth in the contract.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

36. APPROVE OR REJECT PROPOSED FARMERS’ MARKET RENEWAL LEASE AGREEMENT WITH D. RUSSELL ENGLEMAN, D/B/A STONEHOUSE. ² (4:23 PM) (5:42 PM)

Judge Biscoe announced that Item 36 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject the proposed lease related to the Farmers’ Market, but also inform the folks that are involved that the Court is amenable to a shorter-term lease, and if that is presented to us, we are happy to consider that at that time.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

37. DISCUSS AND APPROVE TERMINATION OF LETTER AGREEMENT WITH TOMEN-PARKE ASSOCIATES, LTD. FOR THE APPROVAL AND ACQUISITION OF THE FOLLOWING: ^{1 AND 2} (4:23 PM) (5:43 PM)
- A. SPECIAL WARRANTY DEED FOR LOT 3, BLOCK A, GRANDVIEW HILLS SECTION 11A;
 - B. SPECIAL WARRANTY DEED FOR LOT 2, BLOCK A, GRANDVIEW HILLS SECTION 11B;
 - C. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 145.458 ACRE TRACT OF LAND, BEING A PORTION OF LOT 1, BLOCK A, GRANDVIEW HILLS SECTION 9;
 - D. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 1.969 ACRE TRACT OF LAND AND A 1.626 ACRE TRACT OF LAND, BOTH TRACTS COMPRISING A PORTION OF LOT 2, BLOCK A, GRANDVIEW HILLS SECTION 11A; AND
 - E. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 8.135 ACRE TRACT OF LAND, BEING A PORTION OF LOT 1, BLOCK A, GRANDVIEW HILLS SECTION 11B.

Clerk’s Note: Items 37.A-E are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 37.A-E would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that Commissioner Sonleitner be authorized to formally object to the title of properties in the proposed special warranty deeds (these are Items 37.A and 37.B), and terminate the letter agreement with Tomen-Parke Associates, Ltd., if we are not provided with adequate assurances that the Park Owners’ Association annual assessments do not exceed \$750.00, and to authorize the County Attorney to accept the extension of the objection period under the letter agreement.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Items 37.A-E to be reposted on September 18, 2001.

THE FOLLOWING ITEMS ARE ADDENDA:

- A1.** CONSIDER APPEALS FROM EMPLOYEES REGARDING OPEN ENROLLMENT FOR COUNTY HEALTH INSURANCE, AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.071.
(4:23 PM) (5:44 PM)

Judge Biscoe announced that Item A1 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to decline to extend the open enrollment period past what was already offered to all County employees.

Motion carried:

County Judge Samuel T. Biscoe	abstain
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- A2.** APPROVE ORDER EXEMPTING CONTRACT(S) FROM COUNTY PURCHASING ACT (TEXAS LOCAL GOVT. CODE ANN. § 262.023) FOR ASSESSMENT AND REMEDIATION SERVICES AT THE TRAVIS COUNTY JAIL. (4:22 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item A2.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

